

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

In re: GUIDANT CORP. IMPLANTABLE  
DEFIBRILLATORS PRODUCTS  
LIABILITY LITIGATION

MDL No. 05-1708 (DWF/AJB)

This Document Relates to:

Jerry R. Comstock,

Plaintiff,

v. Civil No. 07-2174 (DWF/AJB)

Guidant Corporation, Guidant Sales  
Corporation, Cardiac Pacemakers Inc., and  
Boston Scientific Corporation,

Defendants.

**ORDER**

Plaintiff Jerry R. Comstock filed his Complaint on May 3, 2007. Plaintiff Jerry R. Comstock passed away on October 25, 2007. Pursuant to Federal Rule of Civil Procedure 25(a)(1), Carolyn S. Sutton, Jerry R. Comstock, Jr., Gary R. Comstock, Perry S. Comstock, Charles D. Comstock, Mary J. Comstock, and Lee A. Comstock now seek an order from this Court substituting Carolyn S. Sutton, Jerry R. Comstock, Jr., Gary R. Comstock, Perry S. Comstock, Charles D. Comstock, Mary J. Comstock, and Lee A. Comstock, in their individual capacities and as the heirs and successors in interest to Jerry R. Comstock, as the plaintiffs in this action. Having considered the submissions and reviewed the procedural history of the file, **IT IS HEREBY ORDERED:**

1. Carolyn S. Sutton, Jerry R. Comstock, Jr., Gary R. Comstock, Perry S. Comstock, Charles D. Comstock, Mary J. Comstock, and Lee A. Comstock's Motion for Substitution of Parties (MDL No. 05-1708 (DWF/AJB), Doc. No. 2725; Civ. No. 07-2174 (DWF/AJB), Doc. No. 6) is **GRANTED**.

2. Carolyn S. Sutton, Jerry R. Comstock, Jr., Gary R. Comstock, Perry S. Comstock, Charles D. Comstock, Mary J. Comstock, and Lee A. Comstock, in their individual capacities and as the heirs and successors in interest to Jerry R. Comstock, shall be substituted for Jerry R. Comstock in the above-referenced matter.

Dated: April 14, 2008

s/Donovan W. Frank  
DONOVAN W. FRANK  
Judge of United States District Court